

From ILT Group

Your answers to the following questions would be invaluable to the ITC:

1. Do you have any recommendations to improve or streamline delivery of services to trust beneficiaries? This includes matters related to financial management and accounting functions, as well as natural resource management functions.
2. Are there any other trust administration models the ITC should examine as it looks towards improving the Department of the Interior's trust administration and management?
3. Given that the sunset provision in the American Indian Trust Fund Management Reform Act of 1994 was predicated on OST's oversight and reform responsibilities, and that OST now has additional operational duties, should the Commission recommend sunsetting the OST?
4. Do you have any recommendations and/or suggestions that would improve the nation-to-nation relationship between DOI and Tribes with respect to trust administration?
5. Do you have any recommendations to improve or strengthen trust management and/or administration based on information gathered in the course of litigation and settlement of the recent tribal breach of trust cases announced in early April of this year.

The Commission is undertaking extensive data gathering as it moves forward and your input is essential to the success of this effort. If you would like your comments considered at the June meeting please submit them no later than June 4, 2012.

Please send your comments and/or recommendations by e-mail to trustcommission@ios.doi.gov or by U.S. mail to the Department of the Interior, Office of Regulatory Affairs and Collaborative Action, 1001 Indian School, NW, Suite 312, Albuquerque, New Mexico 87104. The Department will compile the responses and for Commission review, deliberation and discussion.

The Commission appreciates your work and consideration in the search for meaningful improvements to present to the Secretary of the Interior.

Sincerely,



Fawn Sharp
Commission Chair

Enclosures

ITC

Question 1. Do you have any recommendations to improve or streamline delivery of services to trust beneficiaries?

Real Estate transactions. Board of Indian Appeals. More personnel are needed to keep records updated. The effects Title and Trust resource evaluation on the allotments. A case came before the Board of Indian Appeals. It was held without a decision for two years. This was the sale of a trust resource located on an allotment. The amount being held up by the Board of Appeals was \$5,476,415.00. At 4% interest, that money would have earned \$219,000.00 per year. Two years = \$428,000.00, plus interest on the first year, \$219,000.00 + \$450. There was no interest paid, the trust beneficiary lost that interest money. There must be a method to put this money in an interest bearing account while the Board sits on the decision for two years. Enlarge the Judges and staff to speed up decisions or you should abolish the Board of Indian Appeals.

Question 2. Are there any other trust administration models the ITC should examine as it looks towards improving the Department of the Interior trust administration and management?

Edward Jones

Question 3. Given the sunset provision in the American Indian Trust Fund Management Reform Act of 1994 was predicated on OST's oversight and reform responsibilities, and that OST now has additional operational duties, should the Commission recommend sunseting the OST?

Do not sunset OST. You are in Albuquerque now. A visit to OST and the methods used to handle IIM is efficient. You must then, as the Commission group, all visit Portland Regional Office/unannounced and ask yourself if OST operations should be turned over to BIA. The establishment of OST made the management better because they were not required to follow civil service personnel – to hire recycled employees. There are a few of the Trust Officers that are good to inform OST of whereabouts of unknown and update address information of IIM account holders. A suggestion may be to use half (1/2) the budget for Trust Officers and hire Realty Specialists into each area of the BIA. The other half (1/2) of the budget should be to hire Realty Specialists that would not be stationary but would visit each agency to update information – such as final Probate information – Realty ownership records to cure the illness in TAMMS. If they are not current information, there is no way tracking fractional interests can be accomplished.

Question 4. Do you have any recommendations and/or suggestions that would improve the nation-to-nation relationship between DOI and Tribes with respect to trust administration?

I believe the procedures now are as close as you can get to consultation. Make it clear to tribes that the regional consultation hearings is where their recommendations can be heard and that the majority of sound recommendations of all who attend will be considered and if change should be made – each tribe that participated would be notified.

Question 5. Do you have any recommendations to improve or strengthen trust management and/or administration based on information gathered in the course of litigation and settlement of the recent tribal breach of trust cases announced in early April of this year.

Have BIA send all account information to OST – the current management there would keep a more accurate accounting to tribes on a quarterly basis to avoid future breach of trust cases.